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13 *Co-Lead Counsel for Plaintiffs*

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15 **UNITED STATES DISTRICT COURT**
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17 **SOUTHERN DISTRICT OF CALIFORNIA**

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**IN RE: MIDLAND CREDIT
MANAGEMENT, INC.,
TELEPHONE CONSUMER
PROTECTION ACT LITIGATION**

Case No. 11-md-2286-MMA (MDD)
Member cases: 10-cv-02261
10-cv-02600
10-cv-02368
10-cv-02370

CLASS ACTION

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**PLAINTIFFS' NOTICE OF
MOTION AND UNOPPOSED
MOTION FOR ATTORNEYS'
FEES AND APPROVAL OF COSTS,
AND FOR INCENTIVE PAYMENTS**

Date: August 26, 2016
Time: 9:00 a.m.
Courtroom: 3A
Judge Michael M. Anello

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on August 26, 2016 at 9:00 a.m., or as soon
3 thereafter as the matter may be heard before the Honorable Michael M. Anello,
4 U. S. District Judge for the Southern District of California, Plaintiffs Christopher
5 Robinson, Eduardo Tovar, and Dave Scardina (hereinafter referred to as
6 "Plaintiffs") will move and hereby do move, for: (i) an award of attorneys' fees
7 and costs; (ii) approval of certain litigation costs, including the costs of notice and
8 claims administration; and (iii) approval of incentive awards to the three named
9 Plaintiffs serving as Class Representatives.

10 This motion is made on the grounds that: (i) the attorneys' fees agreed upon
11 between the parties at mediation to be paid separate from the settlement funds are
12 fair and reasonable; and (ii) the litigation costs incurred by Plaintiffs' counsel are
13 reasonable and justify Court approval of reimbursement of those costs from the fees
14 and costs award; (iii) the amount to be paid to the Claims Administrator directly by
15 the Defendants is reasonable and should be ordered to be paid as set forth in the
16 Settlement Agreement; and (iv) the incentive payments of \$2,500 each to the three
17 Class Representatives are fair and reasonable.

18 This motion is based on this Notice of Motion and Unopposed Motion, the
19 Memorandum of Points and Authorities, the supporting declarations and
20 attachments thereto and the complete files and records in this action.

1 Dated: March 23, 2016

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Dated: March 23, 2016

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